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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David Domnitz

Date: October 23, 2004

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Serial number: 09/546,851

Group Art Unit: 2684

OCT 23 2004

Confirmation Number: 3446

Examiner: Alan T. Gant

Attorney Reference Number: P00043501

Applicant's Attorney:

Applicant

Filed: April 10, 2000

2600 Glades Circle, Suite 400

Weston, Florida 33327

Title: APPARATUS AND METHOD FOR

DELIVERING INFORMATION TO AN INDIVIDUAL BASED ON LOCATION AND/OR TIME

Telephone number: (754) 366-7377

#### SUPPLEMENTAL AMENDMENT

#### TO AFFIDAVIT/ DECLARATION UNDER 37 CFR 1.131

#### AND AFTER FINAL AMENDMENT

The Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

#### Dear Sir.

This Supplemental Amendment is in response to the final office action dated May 5, 2004 and is intended to provide evidentiary exhibits to show proof of concept, due diligence, and all that is required to reduce to practice Applicant's invention. Pursuant to 37 C.F.R. 1.7, this paper is timely filed. In addition, tagged and identified evidentiary documents or exhibits are attached.

Serial number: 09/546,851

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